IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41521 of 2008
PARSURAM YADAV S/O KULADIP YADAV R/O
VILL. KEJARI, P.S. BELDOUR,DIST.KHAGARIA
Versus
STATE OF BIHAR
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02 21.10.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused of a case which has been registered under sections 147,148,149,341,302,379 and 506 the Indian Penal code and 27 of the Arms Act.

On 13.12.2007 informant's cousin Mithlesh Yadav and Abhimanyu Yadav who were at the field, in the meanwhile the informant's elder brother Bijay Kumar Yadav came but in the meanwhile 12 named accused persons came. Bijay Kumar Yadav was fired upon by Gaban Yadav and Photo Yadav later on Subhash Yadav, Md. Mozahid, Ghanshyam Yadav, Anandi Yadav, Manoj Yadav fired upon the informant's brother.

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Submission is that the petitioner is not named in the F.I.R. and his name has come in the belated stage. The fact is that Bijay Kumar Yadav was killed in police encounter by S.T.F. while he along with criminal Sattan Choudhary and others were indulged in exchanging fire with the police. Co-accused Lallan Yadav and Rabindra Yadav have been granted bail by order dated 17.07.2008 passed in Cr. Misc.No. 26953 of 2008.

Considering the facts and circumstances of the case, let the above petitioner be released on bail on furnishing bail bonds of Rs. 10.000/- (Ten thousand) with two sureties of the like amount each to

the satisfaction of Chief Judicial Magistrate, Khagaria , in connection with Chautham P.S. Case No. 129 of 2007.

Sym **(Shyam Kishore Sharma, J.)**

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